

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

JOHN Q. GALE and	:	
GALE & KOWALYSHYN, LLC, on behalf of	:	
themselves and others similarly situated,	:	
Plaintiffs,	:	
	:	3:06-cv-1619 (CFD)
v.	:	
	:	
CHICAGO TITLE INSURANCE	:	
COMPANY, <i>et al.</i> ,	:	
Defendants.	:	

**RULING ON MOTION TO PRECLUDE EXPERT TESTIMONY**

Pursuant to this Court’s scheduling order requiring plaintiffs to identify expert witnesses on class certification issues, plaintiffs’ counsel sent an email on December 18, 2009 identifying plaintiff John Gale as a witness they may use to present expert evidence. Gale has not presented any expert testimony relating to class certification. The only reference to Gale’s expert testimony in the plaintiffs’ motion for class certification comes in a footnote, which says, “[g]iven his knowledge, skill, experience, training and education, Gale is well qualified to offer specialized knowledge that will assist the Court to understand the evidence and/or determine the facts in issue with respect to class certification.” Pls.’ Mem. in Support of Mot. for Class Certification 15, n. 18, ECF. No. 210. However, the brief does not identify any expert opinions or testimony, and Gale did not submit an expert report.

The defendants’ motion to preclude expert testimony [Dkt. # 221] is DENIED without prejudice. If Gale offers any expert testimony for the purposes of summary judgment, or is disclosed as an expert witness who will testify at trial, defendants may renew their motion.

SO ORDERED this 23rd day of March 2011, at Hartford, Connecticut.

/s/ Christopher F. Droney  
**CHRISTOPHER F. DRONEY**  
**UNITED STATES DISTRICT JUDGE**